

declaring an emergency," and find the same correctly engrossed.

M'NEALUS, Acting Chairman.

Committee Room,  
Austin, Texas, March 3, 1911.  
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared:

Senate bill No. 333, A bill to be entitled "An Act to authorize the board of city commissioners of the city of Galveston to fix the salaries of all its employes in the police department and fire department in said city; to fix the salary of the chief of police, the city engineer, the assistant engineer, the bookkeeper and draftsman in the engineering department of said city, the superintendent of streets, the employes of the department of water-works and sewerage, of the plumbing inspector and the assistant city tax collector, and provisions for all commissions paid to any officers are to be turned over to the city, providing for the consolidation of certain offices, and fixing the rate of the city of Galveston for general purposes not to exceed 73 cents on the one hundred dollar valuation of the property of said city, and authorizing the board of commissioners of the city of Galveston to sell and convey by a proper deed for not less than fifty thousand dollars in cash to the Gulf, Colorado & Santa Fe Railway Company the interest of the said city in the lots and block known as the East End Park, and declaring an emergency," and find the same correctly engrossed.

COFER, Chairman.

Committee Room,  
Austin, Texas, March 3, 1911.  
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Public Lands and Land Office, to whom was referred

House Concurrent Resolution No. 31, A resolution to be entitled, "Resolved by the House of Representatives, the Senate concurring, that the Superintendent of Public Buildings and Grounds is hereby authorized and empowered to lease subject to the approval of the Governor, any lots or parts of lots or any land belonging to the State of Texas, situated in the city of Austin. Said lease contract shall be in writing and for a term not exceeding five years,

but may be released at any time and the said Superintendent of Public Buildings and Grounds is hereby authorized and empowered to sell sand and gravel to be removed from said lands and lots including the deposit of sand and gravel in the bed of the Colorado river on the islands of the said river, within the corporate limits of the city of Austin,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

MURRAY, Chairman.

#### PETITIONS AND MEMORIALS.

By Senator McNealus:

Petition numerously signed by members of the Dallas Bar Association endorsing the bill introduced by Senator Ward, which proposes to create the Seventy-first Judicial District, and urging the Legislature to pass same.

By Senator Ratliff:

Telegram from Greenville, Texas, signed by Fred Horton, reading as follows:

"Be sure and assist Senator Perkins pass Veterinary bill, House bill No. 62, tomorrow. Senators Vaughan and Sturgeon promised me they would help. Our whole section of country deeply interested."

By Senator Collins:

Petition numerously signed by citizens of Newton county, urging passage of the bill authorizing the consolidation of the Missouri, Kansas and Texas Railway and the Texas Central Railway systems.

#### THIRTY-SIXTH DAY.

Senate Chamber,  
Austin, Texas,

Saturday, March 4, 1911.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Davidson.

Roll call, quorum being present, the following Senators answering to their names:

Adams.  
Astin.  
Bryan.  
Carter.

Cofer.  
Collins.  
Greer.  
Hudspeth.

Hume.	Sturgeon.
Kauffman.	Terrell, McLennan.
Lattimore.	Terrell, Wise.
Mayfield.	Townsend.
McNealus.	Vaughan.
Meachum.	Ward.
Murray.	Warren.
Paulus.	Watson.
Peeler.	Weinert.
Perkins.	Willacy.

Absent.

Johnson.	Real.
Ratliff.	

Prayer by Senator Lattimore.

Pending the reading of the Journal of yesterday, on motion of Senator Peeler, the same was dispensed with.

#### SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Watson:

Whereas, It has just come to our knowledge that there is a rumor that that matchless statesman, Hon. Jos. W. Bailey, United States Senator from Texas, has, or is contemplating tendering his resignation, and

Whereas, We believe that it would be a great public calamity to the people of Texas for him to sever his connection with the public service,

Therefore, be it Resolved by the Senate, That we earnestly protest against the Governor of this State accepting any such resignation, if one has been tendered, and if not, then we earnestly petition the said Jos. W. Bailey to never do so, as we feel that such an action would rebound to the great and irreparable injury to the State that he has so long and so faithfully served, and that the Secretary of the Senate be directed to wire a copy of this resolution to Hon. Jos. W. Bailey, at Washington, D. C.

Watson, Willacy, Hume, Cofer, Terrell of McLennan, Adams, Astin, Perkins, McNealus, Paulus, Sturgeon, Weinert, Ward, Lattimore, Warren, Bryan, Terrell of Wise, Meachum, Ratliff.

The resolution was read and Senator Vaughan made the point of order that the resolution could not be considered before the conclusion of the morning call.

The point of order was sustained and the Senate proceeded to the regular morning call.

#### BILLS AND RESOLUTIONS.

##### SIMPLE RESOLUTION.

The Chair laid before the Senate the simple resolution by Senator Watson relating to the resignation of Senator Bailey, which was introduced by unanimous consent.

The resolution was read.

(President Pro Tem. Hudspeth in the Chair).

Pending discussion, action recurred on the resolution and the same was adopted by the following vote:

Yeas—20.

Adams.	Perkins.
Astin.	Ratliff.
Bryan.	Sturgeon.
Cofer.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Ward.
Lattimore.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.
Paulus.	

Nays—5.

Collins.	Townsend.
Greer.	Vaughan.
Mayfield.	

Present—Not Voting.

Carter.	Peeler.
Kauffman.	

Absent.

Johnson.	Real.
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#### REASON FOR VOTING.

I promised the people during my campaign for State Senator that I would neither vote for nor against any matter appertaining to Senator Bailey, and in accordance with such promise I ask to be marked "present, not voting."

PEELER.

Senator Horace Vaughan had the following reasons for voting printed in the journal:

I vote "nay" and assign some of my reasons as follows: I believe if the resignation of Senator Bailey is accepted we can find some man within the broad confines of Texas qualified to discharge the duties of the great office who will make at least as acceptable a Senator, and so discharge his duties and conduct himself that the people will have the much talked of "political peace," whether we have "legislative rest" or not.

I think it too much imposition on any man to refuse to accept his resignation and to make him serve, if he really does not desire to serve; I regard it almost inexcusable to so impose on one on whom we have imposed so long, especially as there are doubtless many patriots who would be delighted to be so imposed on.

I desire to protest against Senator Bailey and the "Bailey Question" being continually thrust forward for the purpose of affecting other public questions.

I also protest against the Legislature of the State being called upon to indorse Senator Bailey at this time, because I do not believe the people of this State indorse his attitude upon the "Lorimer case" nor his record upon the Payne-Aldrich bill, nor his position upon some other public questions, to say nothing of other matters which it might be offensive to mention. "If this be treason, make the most of it."

VAUGHAN.

Senator Cofer had the following telegrams read to the Senate immediately after the roll call on the above resolution:

Dallas, Texas, March 4, 1911.

Senator R. E. Cofer, Austin Texas.

Vast majority of Texas Democrats want Texas Legislature to re-elect Senator Bailey to United States Senate.

D. P. QUISENBERRY.

Dallas, Texas, March 4, 1911.

Hon. R. E. Cofer, Care Senate, Austin.

If report Bailey's resignation true, start movement quick re-elect him.

NELSON PHILLIPS,  
JNO. L. WORTHAM,  
JNO. J. SIMMONS.

#### FIRST HOUSE MESSAGE.

Hall of the House of Representatives.

Austin, Texas, March 4, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

Senate Concurrent Resolution No. 3, A concurrent resolution "Providing for the publication of the Manual of the Thirty-second Legislature."

Senate Concurrent Resolution No. 5, "Providing for the creation of a commission to investigate and report to the Legislature of this State during its present session a bill to fairly compensate employes for injuries received in the course of employment, and defining the duties of said commission, making an appropriation to carry same into effect, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### SIMPLE RESOLUTIONS.

Resolved, that the President appoint a committee of three Senators to call upon and request Governor Colquitt to come to the President's desk and acquaint the Senate with his views relative to the resignation of Senator Bailey.

HUDSPETH,  
WATSON,  
PERKINS.  
MEACHUM.

The resolution was read and adopted by the following vote:

Yeas—16.

Adams.	Murray.
Astin.	Paulus.
Bryan.	Terrell, McLennan.
Cofer.	Ward.
Hudspeth.	Warren.
Hume.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.

Nays—10.

Carter.	Mayfield.
Collins.	Sturgeon.
Greer.	Terrell, W.
Kauffman.	Townsend.
Lattimore.	Vaughan.

Present—Not Voting.  
Peeler.

Absent.

Johnson. Ratliff.  
Perkins. Real.

In accordance with the above resolution the Chair appointed Senators Meachum, Willacy, Murray as the committee provided for.

# SENATE CONCURRENT RESOLUTION NO. 23.

By Senator Kauffman:

Whereas, For centuries there have been continued persecutions of the Jews in Russia, whereby millions are confined to a limited area, denied the rights of humanity, prohibited from owning lands or engaging in but few of the avocations which civilization has created for man's employment, and are subjected to the most degrading of conditions, are frequently slaughtered by hundreds as the result of the race prejudice created by the Government's attitude toward these defenseless people; and,

Whereas, These conditions are reflection upon the Christianizing influences of the past centuries and violative of the laws of God and civilized nation;

Be it Resolved, That the Senate of the Thirty-second Legislature, the House concurring, express its condemnation of the treatment accorded the Jews and most earnestly protest against a continuance of the same; which we feel demand the intervention of all nations recognizing the existence of an all-wise Creator, and that the United States Government, either in concert with the other nations or alone, adopt such measures as are necessary to induce the Russian Government to relieve its Jewish subjects from discriminating oppression, humiliation and persecution, and that our Senators be instructed and our Representatives requested to take such action as will be best calculated to the results sought.

The resolution was read and on motion of Senator Weinert was referred to Committee on Federal Relations.

By unanimous consent and referred by Senator Murray.

By Senator Meachum:

Senate bill No. 354, A bill to be en-

titled "An Act relating to appeal bonds and sureties thereon in causes appealed from the Justice Court to the County Court, and in causes appealed from the County Court to the District Courts in this State, wherein any surety on appeal bond shall die after said appeal has been perfected, and providing that said cause shall not be delayed or debated on account of the death of said surety."

Read first time and referred to Committee on Judiciary No. 1.

# SENATE BILL NO. 230—HOUSE AMENDMENTS CONCURRED IN.

Senator Willacy called up,

Senate bill No. 230, A bill to be entitled 'An Act to authorize the sale of a portion of Harbor Island and other islands in Red Fish Bay, Corpus Christi Bay and Aransas Bay, and certain lands under the shallow waters of Red Fish Bay; to authorize the building of railroads, terminal railroads, or inter-urban railroads from any point on the mainland to Aransas Harbor, and to provide for the purchase by and such railroad of certain lands on Harbor Island; to define the rights of channel and dock companies, which have heretofore or may hereafter dredge channels from the mainland of Aransas Harbor; to authorize the dredging of slips, the erection of docks, piers, dry docks, ship yards, sheds, railroad tracks, approaches, terminals, sidings, depots, warehouses, and all necessary appurtenances thereto, and to provide for the disposition of the funds arising from such sales, and declaring an emergency," with the following House amendments:

House amendments to Committee Substitute Senate bill No. 230, amend Committee Substitute Senate bill No. 230 by striking out Section 13 of the bill and inserting in lieu thereof, the following:

Section 13. It is expressly provided that no person, firm, corporation or municipality which may have heretofore purchased or otherwise acquired, either from the State or otherwise, or which may hereafter purchase or otherwise acquire either from the State or otherwise, any harbor frontage or other right on Harbor Island shall consolidate or otherwise combine either by sale, purchase, lease or otherwise, within any other municipality, railway company, terminal railway company, inter-

urban, suburban or other railway company and all contracts, agreements and understandings seeking or tending to effect such consolidation or combination shall be, and are declared to be null and void and in such case all rights acquired or derived under the provisions of this act by those so violating shall be and are hereby declared forfeited and void; provided however, this shall not be construed so as to prevent any such channel and dock or dock company from leasing or selling to any railroad, terminal railroad, suburban or interurban railroad company a right of way and terminal grounds as provided in Section four (4) of this Act.

The above amendments were read and Senator Willacy moved that the Senate concur in them.

The motion to concur prevailed by the following vote:

## Yeas—25.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Ratliff.
Cofer.	Sturgeon.
Collins.	Terrell, McLennan.
Hudspeth.	Terrell, Wise.
Hume.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Murray.	

## Nays—2.

Carter.	Townsend.
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## Absent.

Greer.	Perkins.
Johnson.	Real.

Senator Willacy moved to reconsider the vote by which the amendments were concurred in, and lay that motion on the table.

The motion to table prevailed.

Morning call concluded.

## ADDRESS BY THE GOVERNOR.

Here the committee appointed, by resolution, to request Governor Colquitt to address the Senate in connection with the resignation of Senator Bailey, appeared at the bar

of the Senate, accompanied by Governor Colquitt. The Governor addressed the Senate.

(Senator Murray in the chair.)

## SENATE BILL NO. 78.

Action recurred on Senate bill No. 78. The bill had already been read third time on last night and the roll call developed no quorum present.

The bill was then passed finally by the following vote:

## Yeas—26.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Sturgeon.
Cofer.	Terrell, McLennan.
Collins.	Terrell, Wise.
Greer.	Townsend.
Hume.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

## Nays—1.

Kauffman.

## Absent.

Hudspeth.	Ratliff.
Johnson.	Real.

Senator Warren moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 317.

On motion of Senator Ward, the pending order of business (Senate bill No. 48) was suspended, and the Senate took up, out of its order, Senate bill No. 317, by the following vote:

## Yeas—22.

Adams.	Meachum.
Astin.	Murray.
Carter.	Peeler.
Cofer.	Perkins.
Hudspeth.	Ratliff.
Hume.	Sturgeon.
Kauffman.	Terrell, McLennan.
Mayfield.	Terrell, Wise.

Townsend.  
Ward.  
Warren.

Watson.  
Weinert.  
Willacy.

Nays—5.

Collins.  
Greer.  
Lattimore.

McNealus.  
Paulus.

Absent.

Bryan.  
Johnson.

Real.  
Vaughan.

The Chair laid before the Senate, on second reading,

Senate bill No. 317, A bill to be entitled "An Act to provide for the adoption of a system of uniform text-books in this State and the appointment of a text-book board for such purpose; to authorize the re-adoption of text-books now in use, and the selection and adoption of other books, and for the appointment of boards in the future to keep the books adopted revised and up to date. To prohibit lobbying before the text-book board by legal or special representatives of authors or publishers; to prescribe rules and regulations for the board in entering into contracts on behalf of the State; to prescribe penalties for violation of the provisions of this Act, to make an appropriation to carry into effect the provisions hereof, and declaring an emergency."

The bill having been read,

Senator Collins offered the following amendment:

Amend the bill as follows:

By striking out the word "five", in line 23, page 1, and inserting in lieu thereof the word "four."

And by striking out all after the word "they" in line 26, page 1, down to and including the word "Governor" in same line, and before the word "and" in line 27, insert the words "together with," and by striking out all after the word "Texas" in line 28, page 1, down to and including the word "chairman" in line 29, and inserting in lieu thereof the following: "Which said board shall elect its own chairman."

Senator Vaughan moved the previous question on the amendment and the engrossment of the bill, the motion being duly seconded, was so ordered by the following vote:

Yeas—15.

Adams.  
Astin.  
Hudspeth.  
Hume.  
Kauffman.  
Meachum.  
Murray.  
Paulus.

Perkins.  
Ratliff.  
Terrell, McLennan.  
Vaughan.  
Ward.  
Watson.  
Willacy.

Nays—14.

Bryan.  
Carter.  
Cofe.  
Collins.  
Greer.  
Lattimore.  
Mayfield.

McNealus.  
Peeler.  
Sturgeon.  
Terrell, Wise.  
Townsend.  
Warren.  
Weinert.

Absent.

Johnson.

Real.

Senator Lattimore here moved that further consideration of the bill be postponed until next Monday morning at 10 o'clock.

Pending discussion, Senator Sturgeon made the point of order that the Constitution provided that all bills should have free discussion on the consideration of them.

The Chair sustained the point of order as to the discussion of the bill, holding that the bill had not been discussed freely, but that the previous question was well taken as to the amendment.

Action recurred on the amendment, and Senator Meachum moved to rescind the vote by which previous question was ordered, which motion prevailed.

Action recurred on the amendment by Senator Collins, and Senator Townsend offered the following substitute for the amendment:

Amend the bill, line 2, page 2, by striking out the words, "the Governor of this State," and inserting in lieu thereof the following: "The President of the State University, together with the Presidents of each of the four State Normals located at Huntsville, San Marcos, Denton and Canyon City, who by a majority vote."

Senator Watson moved to table the amendment and the substitute, which motion to table prevailed by the following vote:

**Yeas—19.**

Adams.	Peeler.
Astin.	Terrell, McLennan.
Bryan.	Terrell, Wise.
Carter.	Vaughan.
Hudspeth.	Ward.
Hume.	Warren.
Kauffman.	Watson.
Meachum.	Weinert.
Murray.	Willacy.
Paulus.	

**Nays—9.**

Cofer.	McNealus.
Collins.	Ratliff.
Greer.	Sturgeon.
Lattimore.	Townsend.
Mayfield.	

**Absent.**

Johnson.	Real.
Perkins.	

Senator Hudspeth offered the following amendment, which was read and adopted:

Amend the bill by striking out in Section 6, page 4, lines 20, 21, 22, 23, 24 and down to and including the word "or" in line 25, and insert the word "shall" instead of "may" in line 25 and striking out the words "now adopted by the seat" in line 27.

**HUDSPETH,  
MEACHUM,  
WILLACY.**

Senator Carter offered the following amendment:

Amend printed bill, page 1, by striking out the word "five" and inserting the word "two" in line 23, and also inserting after the word "with" in line 26 the following: "The President of the State University of Texas, the President of the Sam Houston Normal School at Huntsville, Texas, and the President of the State Normal School at Denton, Texas, together with."

**LATTIMORE,  
CARTER.**

**SIMPLE RESOLUTION.**

(As Privileged Matter.)

Senator McNealus offered the following privileged resolution:

Whereas, A House concurrent resolution, providing for sine die adjournment of the First Regular

Session of the Thirty-second Legislature has for nearly two weeks been in the keeping of the Senate Committee on Constitutional Amendments, composed of one anti, eleven pros and myself; and,

Whereas, The 11th of March is only one week of time away; therefore be it

Resolved, That the Senate Committee on Constitutional Amendments be instructed to at once report the aforesaid House Concurrent Resolution to the Senate for its action; and it is so ordered.

The resolution was read, and Senator Cofer made the point of order that the resolution was not a privilege resolution, but the Chair overruled same.

Senator Sturgeon moved to table the resolution, which motion to table was lost by the following vote:

**Yeas—13.**

Bryan.	Terrell, Wise.
Cofer.	Townsend.
Collins.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
Ratliff.	Willacy.
Sturgeon	

**Nays—14.**

Adams.	Murray.
Astin.	Paulus.
Greer.	Peeler.
Hudspeth.	Perkins.
Hume.	Terrell, McLennan.
Kauffman.	Watson.
McNealus.	Weinert.

**Present—Not Voting.**

Carter.

**Absent.**

Johnson.	Real.
Meachum.	

Action recurred on the resolution and the same was lost by the following vote:

**Yeas—12.**

Adams.	Murray.
Astin.	Paulus.
Hudspeth.	Peeler.
Hume.	Perkins.
Kauffman.	Terrell, McLennan.
McNealus.	Watson.

## Nays—17.

Bryan.	Sturgeon.
Carter.	Terrell, Wise.
Cofer.	Townsend.
Collins.	Vaughan.
Greer.	Ward.
Lattimore.	Warren.
Mayfield.	Weinert.
Meachum.	Willacy.
Ratliff.	

## Absent.

Johnson.	Real.
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Senator Cofer moved to reconsider the vote by which the resolution was lost, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 317.

Action recurred on Senate bill No. 317, the question being on the amendment by Senator Carter.

Senator Hume moved to table the amendment, which motion to table was adopted by the following vote:

## Yeas—17.

Adams.	Paulus.
Astin.	Peeler.
Cofer.	Perkins.
Hudspeth.	Terrell, McLennan.
Hume.	Ward.
Kauffman.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Murray.	

## Nays—11.

Bryan.	Sturgeon.
Carter.	Terrell, Wise.
Collins.	Townsend.
Greer.	Vaughan.
Lattimore.	Warren.
Mayfield.	

## Absent.

Johnson.	Real.
Ratliff.	

Senator Hudspeth offered the following amendment, which was read and adopted:

Amend the bill, page 6, Section 9, line 24, by striking out all after the word "mentioned" down to and including the word "awarded" in line 26.

Senator Lattimore offered the following amendment, which was read and adopted:

Amend printed bill, pages 4 and 5, Section 6, by striking out the word "readopted" wherever same occurs and inserting in lieu thereof the word "adopted."

HUDSPETH,  
LATTIMORE.

Senator Lattimore offered the following amendment, which was read and adopted:

Amend printed bill, page 5, line 26, by striking out the words "accommodated with" and inserting in lieu thereof the words "accompanied by."

Senator Ward offered the following amendment, which was read and adopted:

Amend the bill by striking out all after the word "act" in line 21, Section 7, page 5, down to and including the word "hereof" in line 22.

HUDSPETH,  
WARD.

Senator Lattimore offered the following amendment:

Amend printed bill, page 3, line 1, by striking out the words "except the Governor."

Senator Hume moved to table the amendment, which motion to table was adopted.

Senator Terrell of Wise offered the following amendment, which was read and adopted:

Amend the bill by adding to Section 9, page 6, after the word "awarded," line 26, the following: "Provided, that if the bids submitted to said board should not be satisfactory to said board they may postpone the selection of such books or a part thereof to such time as they may select, and after the same is readvertised new bids may be received and acted on by such board as provided in this act."

Senator Bryan offered the following amendment, which was read and adopted:

Add after the word "collectively" in line 11, page 2, the following: "and any such contract entered into by said board when so represented shall be void."

Bill read second time, and ordered engrossed.

On motion of Senator Ward the



Constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—26.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Sturgeon.
Cofer.	Terrell, McLennan.
Collins.	Terrell, Wise.
Hudspeth.	Townsend.
Hume.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

## Nays—2.

Greer.	McNealus
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## Absent.

Johnson.	Real.
Ratliff.	

The bill was read third time and passed.

Senator Ward moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## REASONS FOR VOTING.

I vote "yea" on the bill but there are many features of same I do not concur in, but hope to get amendments thereto through a Free Conference Committee of both bodies.

TOWNSEND.

## HOUSE BILL NO. 226.

Senator Cofer moved that the pending order of business (Senate bill No. 48), be suspended and the Senate take up, out of its order, House bill No. 226.

## REFUSE TO ADJOURN.

At 6:30 o'clock p. m. Senator Hume moved to adjourn until 10 o'clock Monday morning.

The motion was lost by the following vote:

## Yeas—10.

Astin.	Paulus.
Hudspeth.	Peeler.
Hume.	Terrell, McLennan.
Kauffman.	Weinert.
Murray.	Willacy.

## Nays—18.

Adams.	Meachum.
Bryan.	Perkins.
Carter.	Sturgeon.
Cofer.	Terrell, Wise.
Collins.	Townsend.
Greer.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.

## Absent.

Johnson.	Real.
Ratliff.	

## HOUSE BILL NO. 226.

Action then recurred on the motion to suspend the pending business and take up House bill No. 226.

The motion was adopted by the following vote, a majority vote only being necessary:

## Yeas—14.

Bryan.	Perkins.
Carter.	Sturgeon.
Cofer.	Terrell, Wise.
Greer.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.

## Nays—12.

Adams.	Paulus.
Astin.	Peeler.
Hudspeth.	Terrell, McLennan.
Hume.	Watson.
Kauffman.	Weinert.
Murray.	Willacy.

## Absent.

Ratliff.

## PAIRED.

Senator Meachum (present), who would vote "nay" with Senator Johnson (absent), who would vote "yea."

Senator Collins (present), who would vote "yea" with Senator Real (absent), who would vote "nay."

## MEMORIAL.

Whereas, the resolution drafted on yesterday by the Students' Council of the University of Texas was unanimously ratified today by the entire student body, and

Whereas, the Senate of the State of Texas, soon after the drafting of said resolution, saw fit to appoint a committee to investigate the recent occurrence in the University,

Be it Resolved, That we, the students of the State University, do most heartily welcome a thorough investigation of existing conditions, to the end that the State Legislature, as well as the people of Texas, may better appreciate and understand the conditions as they really exist, and

Be it further Resolved, That we assure the Senate Investigating Committee that we will render every possible aid in getting at the true state of affairs.

L. S. HOFFMAN,  
President of the Students' Council  
of the University of Texas.

The resolution was unanimously adopted by the assembled students.

## REFUSE TO ADJOURN.

Senator Watson at 6:45 o'clock p. m. moved that the Senate adjourn until 10 o'clock Monday morning.

The motion was lost by the following vote:

## Yeas—11.

Adams.	Peeler.
Astin.	Terrell, McLennan.
Hudspeth.	Watson.
Kauffman.	Weinert.
Murray.	Willacy.
Paulus.	

## Nays—14.

Bryan.	Perkins.
Carter.	Sturgeon.
Cofer.	Terrell, Wise.
Greer.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.

## Absent.

Hume.	Ratliff.
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## PAIRED.

Senator Collins (present), who

would vote "nay" with Senator Real (absent), who would vote "yea."

Senator Meachum (present), who would vote "yea," with Senator Johnson (absent), who would vote "nay."

## HOUSE BILL NO. 226.

The Chair laid before the Senate on Second reading,

House bill No. 226, A bill to be entitled "An Act appropriating the sum of twenty-five thousand (\$25,000) dollars, or so much thereof as may be necessary, for the enforcement of any and all laws and for the purpose of paying any and all necessary expenses in bringing and prosecuting any and all suits; and for the employment of special counsel and paying the expenses in collecting evidence, and providing that such appropriations shall be expended under the direction of the Attorney General, and declaring an emergency."

The bill was read and

There being a favorable majority committee report, and an adverse minority committee report, Senator Cofer moved to adopt the majority (favorable) and that the bill be not printed, but printed in the Journal.

The motion to adopt the majority committee report prevailed by the following vote:

## Yeas—15.

Bryan.	Perkins.
Carter.	Sturgeon.
Cofer.	Terrell, Wise.
Collins.	Townsend.
Greer.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	

## Nays—11.

Adams.	Peeler.
Astin.	Terrell, McLennan.
Hudspeth.	Watson.
Kauffman.	Weinert.
Murray.	Willacy.
Paulus.	

## Absent.

Hume.	Real.
Ratliff.	

## PAIRED.

Senator Meachum (present), who would vote "nay," with Senator Johnson (absent), who would vote "yea."

The bill having been read  
Senator Hudspeth offered the following amendment:

Amend House bill No. 226, by striking out twenty-five thousand (\$25,000) dollars and insert in lieu thereof 25 cents.

HUDSPETH,  
ADAMS.

Senator Adams offered the following substitute for the amendment:

Amend the bill by striking out the words "twenty-five thousand dollars" wherever it occurs in the bill and insert in lieu thereof the following "a dime."

ADAMS,  
WATSON.

Senator Cofer moved to table the amendment and the substitute, which motion to table prevailed by the following vote:

## Yeas—15.

Bryan.	Perkins.
Carter.	Sturgeon.
Cofer.	Terrell, Wise.
Collins.	Townsend.
Greer.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	

## Nays—10.

Adams.	Paulus.
Astin.	Peeler.
Hudspeth.	Terrell, McLennan.
Kauffman.	Watson.
Murray.	Weinert.

## Absent.

Hume.	Real.
Ratliff.	Willacy.

## PAIRED.\*

Senator Meachum (present), who would vote "nay," with Senator Johnson (absent), who would vote "yea."

Senator Watson offered the following amendment:

Amend the bill by striking out all of Section 1 of the bill and insert in lieu thereof, the following:

"For the purpose of enforcing any and all laws affecting the liquor traffic in the State of Texas, including local option laws and illegal clubs or chartered clubs where intoxicating liquor is sold or dispensed, there is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, the sum of twenty-five thousand dollars, or so much thereof as may be necessary to be expended under the direction of the Attorney General, and to be paid upon warrants drawn by the Controller of Public Accounts on vouchers approved by the Attorney General."

Senator Sturgeon moved the previous question on the amendment and the engrossment of the bill. The motion was seconded.

Senator Watson made the point of order that the Constitution provided for free discussion on bills before the Senate.

The Chair held that the previous question could be ordered on the amendment.

The previous question was ordered.

The amendment by Senator Watson was lost by the following vote:

## Yeas—11.

Adams.	Peeler.
Astin.	Terrell, McLennan.
Hudspeth.	Watson.
Kauffman.	Weinert.
Murray.	Willacy.
Paulus.	

## Nays—15.

Bryan.	Perkins.
Carter.	Sturgeon.
Cofer.	Terrell, Wise.
Collins.	Townsend.
Greer.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	

## Absent.

Hume.	Real.
Ratliff.	

## PAIRED.

Senator Meachum (present), who

would vote "yea," with Senator Johnson (absent), who would vote "nay."

#### REASON FOR VOTING.

I vote "nay" against the Watson amendment because the original bill is for the purpose of making an appropriation for the enforcing of any and all laws of the State of Texas, including the land laws, liquor laws, revenue laws and anti-trust laws, etc., whereas, the amendment seeks to cut out some of these purposes, which I think ought not to be done; hence my vote.

#### TOWNSEND.

Senator Watson offered the following amendment:

Amend the bill by adding at the end of Section 1 the following: "And the Governor, Commissioner of the Land Office, and the State Comptroller."

WATSON,  
HUDSPETH,  
KAUFFMAN,  
ADAMS.

Senator Sturgeon made the point of order that the previous question had been ordered on the engrossment of the bill.

Senator Cofer moved to table the amendment, which motion to table was adopted.

Senator Hudspeth offered the following amendment:

Amend the bill by striking out the caption and insert in lieu thereof the following: "A bill to be entitled An Act to take from the pockets of the people \$25,000 and disburse same in behalf of broken-down politicians and political pets of the Attorney General's Department."

HUDSPETH,  
WATSON.

Senator Vaughan moved the previous question on the amendment, and the bill, which motion, being duly seconded, was so ordered.

The amendment by Senator Hudspeth was lost by the following vote:

Yeas—5.

Adams.  
Hudspeth.  
Murray.

Terrell, McLennan.  
Watson.

Nays—19.

Bryan.  
Carter.  
Cofer.  
Colins.  
Greer.  
Kauffman.  
Lattimore.  
Mayfield.  
McNealus.  
Peeler.

Perkins.  
Ratliff.  
Sturgeon.  
Terrell, Wise.  
Townsend.  
Vaughan.  
Ward.  
Warren.  
Willacy.

Absent.

Astin.  
Hume.  
Johnson.  
Meachum.

Paulus.  
Real.  
Weinert.

" The bill was read second time and passed to a third reading by the following vote:

Yeas—15.

Bryan.  
Carter.  
Cofer.  
Collins.  
Greer.  
Lattimore.  
Mayfield.  
McNealus.

Perkins.  
Ratliff.  
Sturgeon.  
Terrell, Wise.  
Townsend.  
Vaughan.  
Warren.

Nays—9.

Adams.  
Hudspeth.  
Kauffman.  
Murray.  
Peeler.

Terrell, McLennan.  
Watson.  
Weinert.  
Willacy.

Absent.

Hume.  
Paulus.

Real.

PAIRED.

Senator Meachum (present), who would vote "nay," with Senator Johnson (absent), who would vote "yea."

Senator Ward (present), who would vote "yea," with Senator Astin (absent), who would vote "nay."

SENATE BILL NO. 240.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

Senate bill No. 340, A bill to be entitled "An Act to regulate the time for holding the district courts in the various counties composing the Fifth Judicial District of Texas, so as to give Titus county one more week and validating process, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Vaughan the Constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

#### Yeas—23.

Adams.	Ratliff.
Bryan.	Sturgeon.
Carter.	Terrell, McLennan.
Cofer.	Terrell, Wise.
Collins.	Townsend.
Hudspeth.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
McNealus.	Watson.
Murray.	Weinert.
Peeler.	Willacy.
Perkins.	

#### Absent.

Astin.	Mayfield.
Greer.	Meachum.
Hume.	Paulus.
Johnson.	Real.

The bill was read third time and passed.

Senator Vaughan moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE JOINT RESOLUTION NO. 8.

(By Unanimous Consent.)

The Chair laid before the Senate on third reading

Senate Joint Resolution No. 8, Proposing to amend Sections 10, 11 and 13 of Article 7, of the Constitution of the State of Texas, relating to the University of Texas; and to amend said Article 7 of the Constitution by adding thereto a new section, to be known as Section 13a;

prescribing the character of securities in which the permanent University fund may be invested; separating the Agricultural and Mechanical College of Texas from the University of Texas, and providing for the transfer of bonds of the permanent University fund to the use of said College.

The resolution was read third time and passed by the following vote:

#### Yeas—23.

Bryan.	Ratliff.
Carter.	Sturgeon.
Cofer.	Terrell, McLennan.
Collins.	Terrell, Wise.
Hudspeth.	Townsend.
Kauffman.	Vaughan.
Lattimore.	Ward.
McNealus.	Warren.
Meachum.	Watson.
Murray.	Weinert.
Peeler.	Willacy.
Perkins.	

#### Absent.

Adams.	Johnson.
Astin.	Mayfield.
Greer.	Paulus.
Hume.	Real.

#### HOUSE BILL NO. 88.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

House bill No. 88, A bill to be entitled "An Act to provide for the location, establishment and maintenance of four tent house colonies for the treatment of persons suffering from tuberculosis, and to provide for the treatment of indigent consumptives, and making an appropriation therefor, defining a citizen as used in this Act, and declaring an emergency."

The bill having been read, and Senator Terrell of McLennan offered the following amendment, which was read and adopted:

Amend House bill No. 88, amend the caption of the bill in line 22, page 1, by striking out the words "four tent house" and inserting in lieu thereof the following, "two."

WILLACY,  
TERRELL of McLennan.

Senator Terrell of McLennan offered

the following amendment, which was read and adopted

Amend House bill No. 88 in line 29, page 1 of the bill by striking out the words "four open air tent house" and inserting in lieu thereof the following, "two."

WILLACY,  
TERRELL of McLennan.

Senator Terrell of McLennan offered the following amendment, which was read and adopted:

Amend House bill No. 88 in line 31, page 1 of the printed bill by striking out the words "open air colonies Nos. 1, 2, 3 and 4" and insert in lieu thereof the following, "colonies Nos. 1 and 2,"

WILLACY,  
TERRELL of McLennan.

Senator Terrell of McLennan offered the following amendment, which was read and adopted:

Amend House bill No. 88, page 3 of the bill, Section 10 by striking out the words "seventy-five thousand (\$75,000) dollars" and insert in lieu thereof the word "Forty thousand (\$40,000) dollars."

WILLACY,  
TERRELL of McLennan.

Senator Terrell of McLennan offered the following amendment, which was read and adopted:

Amend House bill No. 88, page 3, by striking out "\$700,000.00" wherever it occurs and insert in lieu thereof "\$100,000.00."

WILLACY,  
TERRELL of McLennan.

Bill read second time, and passed to a third reading.

On motion of Senator Terrell of McLennan, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote

Yeas—23.

Adams.	Ratliff.
Bryan.	Sturgeon.
Carter.	Terrell, McLennan.
Cofer.	Terrell, Wise.
Collins.	Townsend.
Hudspeth.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.
Peeler.	

Absent.

Astin.	Mayfield.
Greer.	Paulus.
Hume.	Perkins.
Johnson.	Real.

The bill was read third time and passed.

Senator Terrell of McLennan moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 407.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

House bill No. 407, A bill to be entitled "An Act to amend Chapter 81 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-first Legislature of Texas, entitled 'An Act providing for surveys within this State for the construction and maintenance of pools, lakes, reservoirs, dams, canals and water ways, and for either or any of them, to prevent overflows, to procure drainage, and for the improvement of rivers, creeks and streams by levees, or otherwise, to prevent overflows; to provide for the creation of a State levee and drainage board, and the defining and prescribing the duties and powers of said board, and providing for the payment of their expenses; authorizing and empowering said board to appoint a commissioner to be known as State Levee and Drainage Commissioner, defining his powers, and prescribing his duties, and authorizing said board to prescribe his further duties not in conflict with this Act; and making an appropriation to carry out the provisions of this Act; and declaring an emergency;" stating the primary object of the Act; authorizing and ordering the necessary survey and other work required to design, plan or mark out upon the ground improvements such as levees, drains, etc., necessary to reclaim for agricultural uses the overflowed and swamp lands and other lands within this State; describing such lands as shall not be surveyed or mapped under this Act; providing for base measurements, bench marks and other reference marks; prohibiting the use of any money herein appro-

priated for the actual construction of the said improvements; creating a State Levee and Drainage Board, and defining its powers; placing all said work under general supervision of said board; empowering said board to determine at what points said survey shall be made; authorizing said board to make proper division and allotment of money herein appropriated; authorizing said board to publish results of said surveys; empowering said board to approve agreements for co-operation with other branches of the Federal and State governments; providing for the selection of a State Levee and Drainage Commissioner, and prescribing his powers and duties; authorizing the said Commissioner to employ necessary assistants and incur and authorize other necessary expenses; to formulate and enforce reasonable rules governing the conduct of his official duties; empowering him to confer with other branches of the Federal and State governments to obtain assistance and solicit co-operation; defining his duties; authorizing the said commissioner to give technical advice to communities or districts, and prohibiting his acceptance of extra compensation therefor; instructing him to maintain a suitable office within the State capitol; providing for the payment of a salary and expense of said Commissioner; making an appropriation to carry out the provisions of this Act; and providing for the reimbursement to the State of the money expended under the provisions of this Act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and passed to a third reading.

#### SENATE BILL NO. 121.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

Senate bill No. 121, A bill to be entitled "An Act to grant and transfer to the United States Government, land belonging to the State of Texas situated on Galveston Island, in Galveston county, Texas, comprising what is known as the Fort San Jacinto Military Reservation, on which to locate, construct and maintain a military post and fortifica-

tion, and to grant, cede and transfer to said United States Government the tide lands in front of and all future accretions and accumulations to all said lands; and for the cession by the State of Texas to the United States Government of jurisdiction over all such lands or the accretions thereto, or the accumulations thereto."

The bill having been read,

Senator Kauffman offered the following amendment, which was read and adopted:

Amend the bill by adding after Section 5:

Section 6. The provisions of this Act shall not be construed to in any manner effect the title or claim of persons holding under the grant to Jaun Seguin or the patent issued to M. B. Menard or the patents issued to W. A. A. Wallace for lands covered by the provisions of this Act.

The bill was read second time and ordered engrossed.

#### SENATE BILL NO. 124.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 124, A bill to be entitled "An Act creating the office of State Inspector of Masonry, fixing the term of said office, prescribing the qualifications and compensation of the incumbent thereof, and fixing and defining his duties, etc."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and ordered engrossed.

#### HOUSE BILL NO. 168.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

House bill No. 168, A bill to be entitled "An Act to amend Section 2 of Chapter 42 of the General Laws of the Thirtieth Legislature, relating to exemptions as effecting employes of common carriers, religious societies, volunteer firemen and Confederate Veterans."

The committee report with (committee) amendments, was adopted.

Senator Watson offered the following amendment, which was read and adopted:

Amend the committee report, page 7, by adding after the words "amend the" in line 31, the following "printed."

Senator Watson offered the following amendment, which was read and adopted:

Amend the bill page 6, by striking out of the engrossed rider to House bill No. 168 in lines 12 to 17 inclusive and by striking out the word "adopted" in the printed bill in line 20.

Senator McNealus offered the following amendment, which was read and adopted:

Amend the bill, page 3, by striking out all of line 31, and substituting therefor, the following:

"Any bona fide policeman or fireman in the service of any city or town in Texas may have the right to ride upon free transportation furnished by any steam railroad company, any street railway company, any interurban railway company, or other lines of public transportation, when such policeman or fireman is in the discharge of his public duty; but this provision shall not be construed so as to apply to men holding commissions as social policemen or firemen, any other bona fide peace officer shall enjoy same privileges when in the discharge of their duties."

Senator Peeler offered the following amendment, which was read and adopted:

Amend the printed bill, page 3, line 2, by striking out the words "when traveling on official business for the State."

Senator Peeler offered the following amendment, which was read and adopted:

Amend the printed caption, line 20, by striking out the words "when traveling on official business for the State."

Senator Lattimore offered the following amendment, which was read and adopted:

Amend line 29, page 2, by inserting after the word "employee" the following "and their families."

Senator Terrell of McLennan offered the following amendment:

Amend the bill page 3, line 27, by striking out the word "State rangers."

On motion of Senator Sturgeon, the amendment was tabled.

Senator Hudspeth offered the following amendment, which was read and adopted:

Amend the bill by striking out in line 10, page 4, the word and figures "twelve" and insert in lieu thereof "twenty-five," and insert after "commission" in line 9, page 4, "or their inspectors."

Senator Meachum offered the following amendment, which was read and adopted:

Amend the bill, page 5, line 20, after the word "given" by inserting the following: "Provided, the actual bona fide officers and employees upon annual salaries of railway and telephone companies, and telegraph companies, are hereby permitted to exchange franks, privileges and free transportation over their respective lines of railway and telegraph or telephone."

Senator Peeler offered the following amendment, which was read and adopted:

Amend the printed bill, page 3, line 2, following the word "commissioners" by inserting "State Superintendent of Public Buildings and Grounds."

Senator Terrell of McLennan offered the following amendment, which was read and adopted:

Amend the bill, page 5, Section 1, line 27, by striking out the word "it" and inserting in lieu thereof the word "is."

Senator Townsend offered the following amendment:

Amend the bill on page 5 by striking out lines 20 to 32, inclusive.

Senator Hudspeth moved to table the amendment, which motion to table prevailed.

Senator Hudspeth moved the previous question on the bill, which motion, being duly seconded, was so ordered.

The bill was read second time and ordered engrossed.

SENATE BILL NO. 233.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading



Senate bill No. 233, A bill to be entitled, 'An Act to regulate the presentation and collection of claims for two hundred (\$200.00) dollars or less, for personal services rendered or for labor done, or for material furnished or for over charges on freight or express, or for lost or damaged freight, or for stock killed or injured, against any person or corporation or receiver, and providing a reasonable amount of attorney's fees, not exceeding twenty twenty (\$20.00) dollars, to be recovered, in suits on such claims, and declaring an emergency.'

(Lieutenant Governor Davidson in the chair.)

There being a favorable majority committee report, and an adverse minority committee report, Senator Terrell of Wise moved to adopt the majority (favorable) committee report.

The motion prevailed.

Senator Watson offered the following amendment:

Amend the bill, page 1, by striking out the words "any other person or" in line 18.

The bill was laid on the table subject to call.

#### HOUSE BILL NO. 291.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

House bill No. 291, A bill to be entitled, "An Act to prohibit the taking, catching, killing or destroying any fish in the fresh water streams, lakes, bayous, ponds or pools within this State, by means of dynamite, giant powder or other explosives or by means of poisoning, liming, ditching, muddying, draining or by the use of traps, nets, seines (except minnow seines for catching bait), or by any other means except the ordinary hook and line and trot line; prescribing penalties for its violation, exempting certain counties from the provisions of Section 3 of this Act, repealing Chapter 75 of the General Laws of the Regular Session of the Thirtieth Legislature and Chapter 49 of the General Laws of the Thirty-first Legislature, and all other laws in conflict with the same, and declaring an emergency."

The bill having been read, Sena-

tor Terrell of McLennan offered the following amendment, which was read and adopted:

Amend House bill 291 by striking out all of lines 7, 8, 9, and the words "of each year" in line 10 of page 3, Section 4, of the bill.

Senator Weinert offered the following amendment, which was read and adopted:

Amend by including "Guadalupe County."

Senator Kauffman offered the following amendment, which was read and adopted:

Amend the bill in page 2, Section 4, line 11, by striking out "Chambers."

The bill was read second time and passed to a third reading.

#### HOUSE BILL NO. 565.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading

House bill No. 565, A bill to be entitled "An Act to incorporate the city of Sulphur Springs, Hopkins county, Texas, and grant it a new charter to provide for a commission form of government; to define its powers and to prescribe its duties and liabilities; to provide for the approval of said charter by the qualified electors of said city; to validate the Acts of said city as it now exists; to repeal all Acts and parts of Acts in conflict herewith, and to declare an emergency."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

#### SENATE BILL NO. 235.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

Senate bill No. 235, A bill to be entitled "An Act defining and regulating fraternal beneficiary associations, and repealing Chapter 36 of the General Laws of the Thirty-first Legislature of the State of Texas, First Called Session thereof, as amended by Chapter 22 of the General Laws of Texas, passed by the Thirty-first Legislature of Texas at the Second Called Session thereof, and repealing all laws and parts of laws in conflict therewith."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and ordered engrossed.

#### BILLS SIGNED.

The Chair (President Pro Tem. Hudspeth) gave notice of signing, and did sign, after their captions had been read, the following bills:

Senate bill No. 142, A bill to be entitled "An Act to diminish the civil jurisdiction of the county court of Harrison county to conform to the jurisdiction of the district court thereof, and to repeal all laws in conflict herewith, and declaring an emergency."

Senate bill No. 222, A bill to be entitled "An Act to create the South Park Independent School District, known as Common School District Number 6, in Jefferson county, Texas, to provide for the election of trustees for the raising of revenue, issuing bonds, building and maintaining school houses, maintaining public free schools, declaring valid an issue of bonds heretofore made, and declaring an emergency."

Senate bill No. 141, A bill to be entitled "An Act to reorganize the Second and Fourth Judicial Districts and to create the Seventy-first Judicial District of the State of Texas, and to fix a time of holding courts in said districts, and to fix the jurisdiction of the court for said Seventy-first Judicial District, and to provide for the appointment of a judge of said Seventy-first Judicial District, and to repeal all laws in conflict herewith, and declaring an emergency."

Senate bill No. 322, A bill to be entitled "An Act to authorize Aransas county, in compliance with the provisions of Chapter 134 of the General Laws of the Thirtieth Legislature, approved April 18, 1907, to build a causeway and to erect a draw-bridge across the waters of Aransas Bay, between the southern end of Lamar peninsula, at or near the old town of Lamar, in said county, and the northern end of Live Oak peninsula, also in said county, for the purpose of connecting the public road system of said county between Lamar and Live Oak peninsulas, and to provide for the issuance of county bonds, under the provisions of said

Chapter 134 of the General Laws of the Thirtieth Legislature, for the construction of said causeway and bridge, and for the construction and maintenance of a public highway along and upon same between such points."

House bill No. 441, A bill to be entitled "An Act to amend Sections 7 and 8, Chapter 34 of the Special Laws of the Regular Session of the Thirtieth Legislature, entitled 'An Act to create a more efficient road system for Washington county, Texas, and making the county commissioners of said county ex officio road commissioners, and prescribing their duty as such, and providing for their compensation as such road commissioners, and providing for the working of county convicts upon the public roads of said county, and providing for commutation of time for good behavior and good service, and providing for a reward to be offered for the recapture of an escaped convict, and taxing said reward and all actual cost of capturing and delivery of said convict against said convict, and providing for a penalty for the escape of a county convict, and providing the amount of compensation in road time to be allowed by overseers to road hands for teams, plows, scrapers, wagons, and providing for the condemnation of land for public road purposes, and providing for the working of delinquent poll tax payers on the public roads and relieving them from the performance of said road work by the payment of the sum of \$3; and providing further, making this law cumulative, and in case of conflict this Act to govern as to Washington county,' and to add to said chapter Sections 15a and 15b, conferring upon the commissioners' court of said county the authority to employ a person, with a salary not to exceed \$100 per month, to work under the orders of said court for the purpose of carrying out the provisions of said charter."

House bill No. 431, A bill to be entitled "An Act to render more effective and efficient the present road law of the State of Texas, in its application and operation in the county of Jefferson; and to authorize and empower the commissioners' court of said county to issue bonds for the construction or purchase of bridges, and the construction and maintenance of public roads and highways within said county, and to

provide the manner and mode of working the county convicts of said county upon its public roads and highways, and fixing and regulating the compensation of certain of its officers."

House bill No. 507, A bill to be entitled "An Act to create a more efficient road system for Brazos county, Texas, and making county commissioners of said county ex officio road commissioners, and prescribing their duties as such, and providing for the appointment of deputy road commissioners, and defining the powers and duties of such county commissioners, and providing for the appointment of road overseers, and defining their duties, and for the working of county convicts upon the public roads of said county, and providing for officers' fees and rewards for the capture of escaped convicts, and to provide for the manner of training hedges along any public road, and to provide for the summoning of teams for road work, and for an allowance of time for road service for same, and fixing the penalty for a violation of this Act, and repealing all laws in conflict with this Act, and repealing all laws in conflict with this Act."

House bill No. 207, A bill to be entitled "An Act to increase the authority and duties of the county commissioners' court of Hunt county, Texas, and for the county commissioners of said county; to require said commissioners to devote their entire time to the affairs of said county; to fix salaries for the members of said court and to provide for the submission hereof to a vote of the qualified voters of said county, and declaring an emergency."

House bill No. 402, A bill to be entitled "An Act to amend an Act of the Twenty-eighth Legislature of the State of Texas, entitled 'An Act to incorporate the city of Corsicana, in Navarro county, Texas, and to fix the boundaries therefor, and to provide for its government and management of its affairs,' and amended by Chapter 39 of the Special Laws of the Thirtieth Legislature of the State of Texas, and by Chapter 22 of the Special Laws of the Thirty-first Legislature of the State of Texas, by amending Section 28 thereof so that the city marshal should receive such salary as the council may fix not to exceed \$100 per month, and each policeman shall receive such salary

as the council shall fix, not to exceed \$75 per month, and by amending Section 185 so as to provide that the city may purchase and improve and maintain parks, hospitals and sanitariums and raise funds and appropriate same therefor, and by amending Sections 194, 195 and 196 so as to provide for a maximum tax levy for any year of \$1.80 on the \$100 valuation, and declaring an emergency."

#### ADJOURNMENT.

On motion of Senator Weinert, at 9:20 o'clock p. m. the Senate adjourned until 10 o'clock Monday morning.

#### APPENDIX.

Committee Room,

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred Senate bill No. 342,

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and be not printed, but that the same be printed in the Journal of the Senate.

PEELER, Chairman.

That part of the committee report which provided that the bill be printed in the Journal was adopted.

(Following is the bill in full.)

By Townsend.

S. B. No. 342.

#### A BILL

To be Entitled

An Act to grant permission to Mrs. W. E. Collins, Samuel Collins, Viola Collins, Zeron Collins, Savannah Collins, Semon Collins, Hilton Collins, Vergie Collins, Drucilla Collins, heirs of W. E. Collins, deceased, to bring suit against the State of Texas to ascertain, fix and establish their claims against the State of Texas for the death of said W. E. Collins, and personal injury to the said Samuel Collins, said death and injuries aforesaid alleged to have occurred in Trinity

county, Texas, on or about the 9th day of September, A. D., 1909, by being shot by State Rangers, who were then under the jurisdiction, control and employment of the State of Texas; fixing and establishing the measure of damages and liability on the part of said State, and declaring an emergency

Be it enacted by the Legislature of the State of Texas:

Section 1. That Mrs. W. E. Collins, Samuel Collins, Viola Collins, Zeron Collins, Savanna Collins, Semon Collins, Hilton Collins, Virgie Collins, Drucilla Collins, heirs of W. E. Collins, deceased, are hereby granted permission to bring suit against the State of Texas to ascertain, fix and establish their claims against the State of Texas for the death of W. E. Collins and personal injuries sustained by Samuel Collins, said death of W. E. Collins and personal injuries sustained by said Samuel Collins are alleged to have occurred in Trinity county, Texas, on or about the ninth day of September, A. D., 1909, by being shot by State Rangers, who were then under the jurisdiction, control and employment of the State of Texas.

Sec. 2. In the ascertaining, adjudication, fixing and establishing of such liability and damages on the part of the State of Texas, the same rules of evidence, and the same principles of law as to the fixing of liability and measure of damages shall apply and be enforced as are now applied and enforced under the statutes of the State of Texas and the decisions of the courts in ascertaining, fixing, adjudicating and establishing liability and damages between railroad companies and their servants; State Rangers being treated and considered as the servants of the State of Texas in the fixing and establishing of liability and damages under the provisions of this Act.

Sec. 3. The fact that there is now no provision of law authorizing said persons mentioned in the provisions of this Act to bring suit against the State of Texas for damages suffered by them, as aforesaid, and that they are poor people and in needy circumstances, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and said rule is

hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

(Floor Report.)

Austin, Texas, March 4, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Judiciary No. 1, to whom was referred Senate bill No. 354,

Beg leave to report that we have had same under consideration, and recommend that it do pass, be not printed, but be printed in the Journal.

Ward, Chairman; Lattimore, Greer, Peeler, Meachum, Watson, Astin, Carter, Hume, Weinert, Warren, Vaughan.

That part of the report which provided that the bill be printed in the Journal was adopted.

(Following is the bill in full.)

By Meachum.

S. B. No. 354.

#### A BILL

#### To be Entitled

An Act relating to appeal bonds and sureties thereon in causes appealed from the justice court to the county court, and in causes appealed from the county court to the district courts in this State, wherein any surety on appeal bond shall die after said appeal has been perfected, and providing that said cause shall not be delayed or abated on account of the death of said surety.

Be it enacted by the Legislature of the State of Texas:

Section 1. That hereafter if any party (surety) upon any appeal bond in cases where appeals are perfected from justice's court to the county court, or from the county court to district courts, shall die after said appeal bond has been executed, and said appeal perfected, that such cause shall not abate by the death of such surety, and it shall not be required that the administrator or local representative of said deceased surety be made a party to the suit, but the court shall proceed to adjudicate such cause and render judgment therein as if all parties thereto were still living and such judgment shall have the same force and effect as if rendered in the lifetime of the sureties thereto; and where judgment is rendered upon such appeal bonds against any such deceased sure-

ty, said judgment shall be enforced and collected as other claims against the estate of decedents.

Sec. 2. Be it further enacted that Acts or parts of Acts in conflict be and the same are hereby repealed, and that this Act take effect and be enforced within ninety days from and after its passage.

Committee Room,

Austin, Texas, March 4, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

Senate bill No. 352, A bill to be entitled "An Act making appropriations for deficiencies in appropriations heretofore made for the support of the State Government for the fiscal years ending August 31, 1908; August 31, 1909; August 31, 1910, and August 31, 1911, being for claims registered in the Comptroller's office in accordance with law and for outstanding claims not registered, and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass.

WILLACY, Chairman.

(Majority Report.)

Committee Room,

Austin, Texas, March 2, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, a majority of your Committee on Internal Improvements, to whom was referred

Senate bill No. 207, A bill to be entitled "An Act requiring every electric railway company or interurban railway company, lessee, manager or receiver thereof and every person, firm, corporation or association of persons, and any lessee, manager or receiver thereof, engaged in the operation of any electric street railway or interurban railway doing business in this State as a common carrier of passengers for hire, to provide separate and distinct cars or coaches for the accommodation of white and negro passengers, defining what shall constitute such separate coaches or cars, providing for equality in all points of comforts and convenience in the operation of such cars or coaches, defining the terms negro as used in this Act, making

certain exemptions from the provisions hereof, defining penalties for the violation of this Act, providing for the recovery thereof, repealing all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

KAUFFMAN, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, March 2, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, a minority of your Committee on Internal Improvements, to whom was referred

Senate bill No. 207, A bill to be entitled "An Act requiring every electric street railway company, or interurban railway company, lessee, manager or receiver thereof, and every person, firm, corporation or association of persons, and any lessee, manager, or receiver thereof, engaged in the operation of any electric street railway or interurban railway doing business in this State as a common carrier of passengers for hire, to provide separate and distinct cars or coaches for the accommodation of white and negro passengers, defining what shall constitute such separate coaches or cars, providing for equality in all points of comforts and convenience in the operation of such cars or coaches, defining the term negro as used in this Act, making certain exemptions from the provisions hereof, defining penalties for the violation of this Act, providing for the recovery thereof, repealing all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass.

KAUFFMAN,  
HUDSPETH.

Committee Room,

Austin, Texas, March 2, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 215, A bill to be entitled "An Act to regulate rates or charges now in force and to be

made by telegraph and telephone companies to make all such telegraph and telephone companies subject to control and regulation of the Railroad Commission of Texas, and providing penalties,"

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

KAUFFMAN, Chairman.

Committee Room,

Austin, Texas, March 2, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 272, A bill to be entitled "An Act to prohibit foreign corporations from hereafter acquiring by purchase or otherwise any easement or ownership or other interest in any land or in any street, alley or public highway in this State for right of way purposes, for operating, constructing, maintaining or extending any telephone line or system, or for operating, constructing, maintaining or extending any street car, suburban car or inter-urban car system, or for operating, constructing, maintaining or extending any heating, light or power system, and making void any and all such grants and sales hereafter made by any person, firm, corporation, town, village, city or municipality,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

KAUFFMAN, Chairman.

Committee Room,

Austin, Texas, March 2, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 271, a bill to be entitled, "An Act to prohibit foreign corporations from hereafter acquiring by purchase or otherwise any easement or ownership or other interest in any land or in any street, alley or public highway, in this State, for right of way purposes, for operating, constructing, maintaining or extending any telephone line or system, and making void any and all such grants and sales here-

after made by any person, firm, corporation, town, county, village, city or municipality,"

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

KAUFFMAN, Chairman.

Committee Room,

Austin, Texas, March 2, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred Senate bill No. 181, A bill to be entitled, "An Act to amend Sections 8, 13, 14, 16, 17, and 21 of Chapter 17, of the General Laws of the First Called Session of the Thirtieth Legislature, relating to the taxation of the intangible assets of railroad companies, bridge companies, ferry companies, turn-pike and toll companies doing business wholly or in part within the State of Texas and every other individual company, corporation or association of persons doing business of the same character in this State, so as to provide that in addition to the taxation of the intangible assets as provided in this Act, such railroad companies, ferry companies, bridge companies, turn-pike and toll companies and every other individual company, corporation or association doing business of the same character in this State shall also pay local taxes thereon to incorporated cities, school districts and road districts in the State; providing penalties for violation of this Act; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

KAUFFMAN, Chairman.

Committee Room,

Austin, Texas, March 2, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Internal Improvements to whom was referred Senate bill No. 302, A bill to be entitled "An Act to amend Article 4433 of the Revised Statutes of the State of Texas, requiring railroad companies to maintain crossings in the fenced enclosures so as to make a separate offense each day's failure to maintain in such crossings, and declaring an emergency,"

Have had the same under consideration and I am instructed to report

it back to the Senate with the recommendation that it do not pass.

KAUFFMAN, Chairman.

Committee Room,

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate:

Sir: We, your Committee on Insurance, Statistics and History, to whom was referred

House bill No. 498, A bill to be entitled "An Act to amend Article 3075 of Chapter 3, Title 58, of the Revised Civil Statutes of the State of Texas, relating to insurance, as amended by the Act of the Twenty-ninth Legislature April 13, 1905; providing the limitations upon the amount of any one risk or hazard to be assumed by any fire, fire and marine, marine or inland, lightning or tornado insurance company; providing that reinsurers shall be authorized to do business in the State; and providing for reports by said companies,"

Have had the same under consideration, and I am instructed by the committee to report it back to the Senate with the recommendation that it do pass.

ASTIN, Chairman.

Committee Room,

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Insurance, Statistics and History, to whom was referred

Senate bill No. 321, A bill to be entitled "An Act to require fire insurance companies doing business in Texas, which issue policies of insurance on any property in Texas, to issue and deliver such policies through their resident local agents, and to pay such local agents the full local agents' commission thereon, and defining such commission, and providing for the enforcement of this Act, and prescribing penalties for its violation, and repealing all laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

ASTIN, Chairman.

(Floor Report.)

Austin, Texas, March 4, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on

Roads, Bridges and Ferries, to whom was referred

House bill No. 373, A bill to be entitled "An Act to amend and extend the special road law of Wise county, Texas, as enacted by the Twenty-seventh Legislature of Texas, so that the same shall hereafter read as herein provided, and declaring an emergency,"

Beg leave to report that we have had same under consideration and recommend that it do pass, and be not printed.

Greer, Chairman; Weinert, Paulus, Perkins.

(Floor Report.)

Austin, Texas, March 4, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 486, A bill to be entitled "An Act to amend an act of the Special Laws of the Thirty-first Legislature, Section 11, Chapter 79, of Hamilton County Road Law, and declaring an emergency,"

Beg leave to report that we have had the same under consideration, and recommend that it do pass and be not printed.

Greer, Chairman; Weinert, Paulus, Perkins.

Committee Room,

Austin, Texas, March 4, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 274, A bill to be entitled "An Act to amend Section 10 of Chapter 30 of the General Laws of the State of Texas, passed by the Thirty-first Legislature (1909), its Regular Session, approved April 21, 1909, relating to the Texas State Board of Health and Vital Statistics, and to repeal Section 11 of said chapter; providing a penalty for violation of this Act, and declaring an emergency,"

And find the same correctly engrossed.

McNEALUS, Acting Chairman.

Committee Room,

Austin, Texas, March 4, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on En-

grossed Bills have carefully examined and compared

Senate bill No. 334, A bill to be entitled "An Act to amend Sections 1, 3 and 4 of Chapter 117 of the Acts of the Regular Session of the Thirty-first Legislature, being an act entitled 'An Act to define and regulate the practice of professional nursing, create a Board of Nurse Examiners for the examination and licensing of nurses, and to prescribe their qualifications, to provide for their proper registration and for the revocation of certificates and to fix suitable penalties for the violation of this Act,' and declaring an emergency."

And find the same correctly engrossed.

COFER, Chairman.

#### PETITIONS AND MEMORIALS.

By Lieutenant Governor Davidson:

Letter from the Texas Hardware Jobbers' Association, the Texas Retail Hardware Dealers' Association and Retail Saddlery Dealers' Association, in convention assembled, on the Battlefield of San Jacinto, as follows:

Dallas, Texas, March 3, 1911.

The Texas Hardware Jobbers' Association, the Texas Retail Hardware Dealers' Association and Retail Saddlery Dealers' Association, in joint convention assembled on the Battlefield of San Jacinto to the number of 500, drawn from all parts of this great State, do hereby give our hearty and unanimous indorsement to every appropriation made for the beautification of the battlefield, and do most earnestly memorialize the Legislature to make liberal appropriation for the continued improvements on this hallowed ground, whereon was won by Texan valor a victory which gave Texas to the world and covered this field with a mantle of fadeless glory, patriotism, State pride and admiration for her deeds, and unselfish sacrifice, demand that every appropriation requested by the commission in charge of the field, should be made by unanimous vote and that every bill providing the same should receive immediate executive approval. Yours truly,  
TEXAS HARDWARE AND IMPLEMENT ASSOCIATION.

HENRY MART, Secretary.

#### LETTER FROM GOVERNOR HARMON.

The following letter was read to the Senate:

Columbus, O., March 1, 1911.

To the Honorable, the Senate and House of Representatives, Austin, Texas.

Sirs: An invitation from a sovereign always has the force of a command, and I should promptly obey that of imperial Texas, with which she honors me through your joint resolution, but for a previous command still in course of performance from her sister Ohio.

I am not vain enough to think my State could not get on without me for a while. Perhaps the members of the General Assembly think that I might well be spared now and then. But, unfortunately, our Constitution does not permit me to turn my job over to my very competent lieutenant, unless I am disabled or dead, and I am not willing to admit I am either.

So, during our pending most important session, the first in twenty years for which men of my political faith are responsible, I am in duty bound, both to the party I represent and to the people I serve, to remain at my post. And I know Texans too well not to be certain that, while they would be polite and hospitable, as always, they would in their hearts feel no welcome if I should go to them as a deserter.

By your invitation and expression of esteem and confidence you have done me a high honor which I shall ever cherish. I realize my loss of the inspiration and encouragement to better service which I should gain from meeting you, but I find consolation in the hope that the pleasure and profit of a visit are only deferred and not lost.

With most sincere thanks and assurances of esteem, I have the honor to be

Most respectfully yours,

JUDSON HARMON.

#### THIRTY-SEVENTH DAY.

Senate Chamber

Austin, Texas,

Monday, March 6, 1911.

The Senate met pursuant to ad-